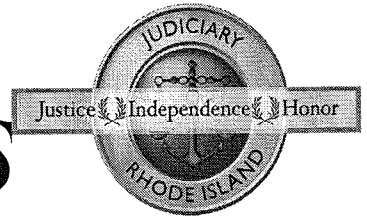


# Court Statistics



THE RHODE ISLAND JUDICIARY'S QUARTERLY CASEFLOW REPORT

Vol. 30, No. 4, December 2009

## HIGHLIGHTS

**IN 2009, THE STATEWIDE DISPOSITION RATE IN THE RHODE ISLAND JUDICIARY WAS 94%, UP FROM 92% LAST YEAR.**

**PENDING CASES IN THE SUPREME COURT DECLINED BY 3% COMPARED TO LAST YEAR.**

**IN SUPERIOR COURT, FELONY DISPOSITIONS EXCEEDED FILINGS STATEWIDE.**

**FAMILY COURT DISPOSITIONS EXCEEDED PETITIONS FILED STATEWIDE FOR BOTH JUVENILE AND DOMESTIC CASES.**

**DISTRICT COURT SMALL CLAIMS FILINGS INCREASED BY 50% IN THE THIRD DIVISION, COMPARED TO LAST YEAR.**

**THE DISPOSITION RATE IN WORKERS' COMPENSATION COURT WAS 99% IN 2009.**

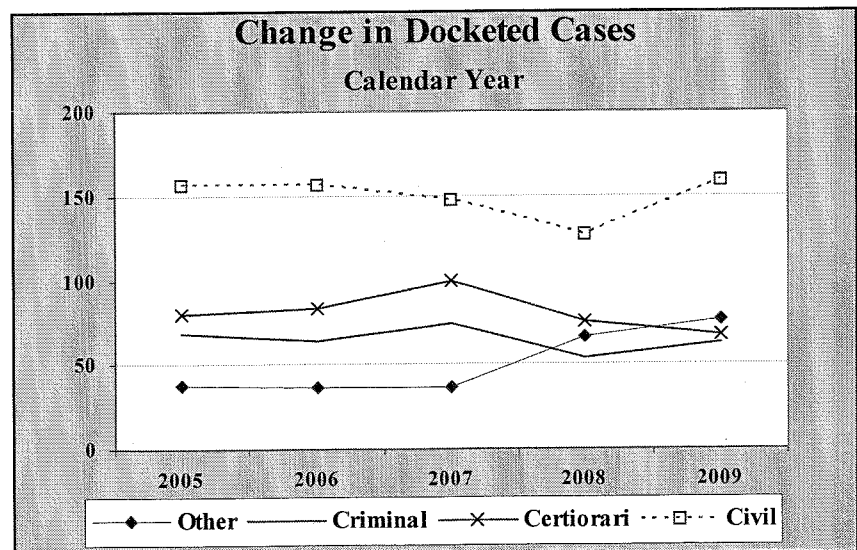
**TRAFFIC TRIBUNAL DISPOSITIONS EXCEEDED FILINGS FOR THE TENTH CONSECUTIVE YEAR.**

## Supreme Court

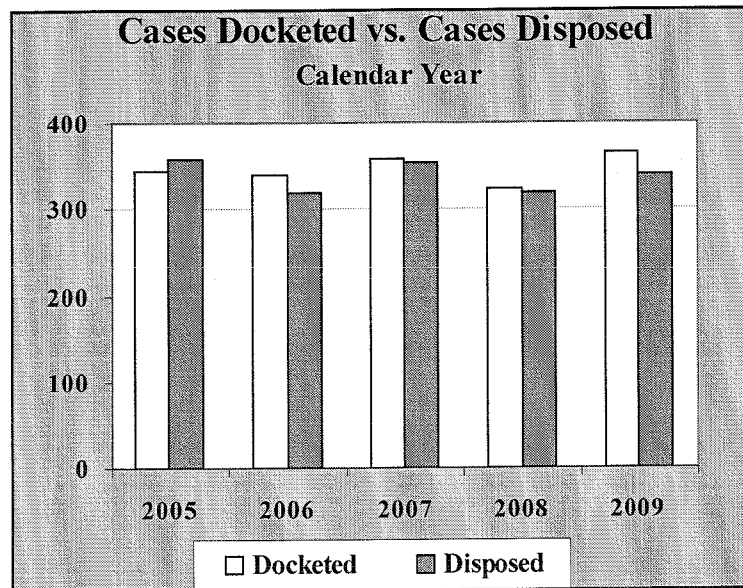
This report covers calendar year 2009. There were 366 Supreme Court cases docketed during the year, which was 43 (13 percent) more than those docketed last year. Compared to last year, appeals in the certiorari category decreased by 12 percent (9), while those in the three remaining categories increased. Criminal appeals

rose by 17 percent (9), civil appeals by 25 percent (32), and appeals in the miscellaneous category increased by 17 percent (11).

Similar to 2008, new appeals exceeded dispositions in 2009. The number of appeals disposed was 339, which was 27 fewer than were docketed, representing a 93 percent disposition rate. As explained in more



detail below, 37 (11 percent) of the 339 dispositions occurred during some stage of the Appellate Mediation Program (AMP).

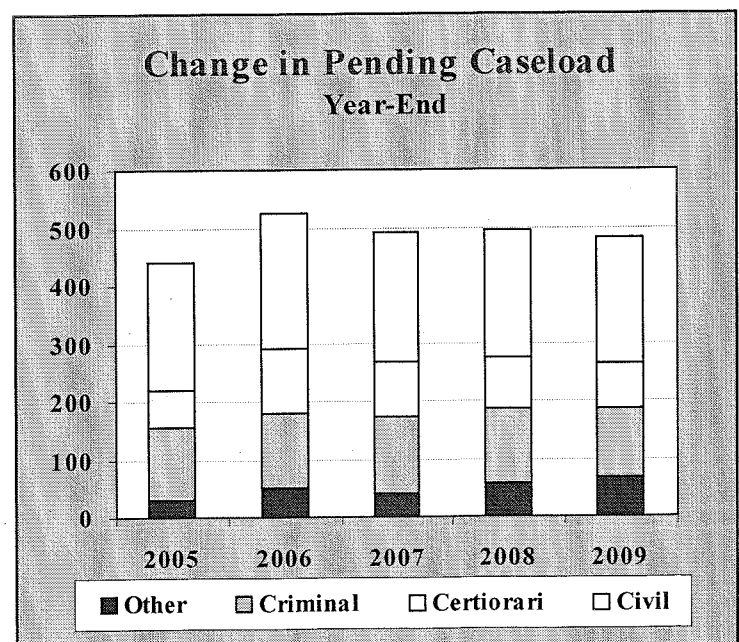


A breakdown of dispositions by stage showed that 181 (53 percent) were disposed before argument. There were 91 appeals disposed as a result of the motion calendar, accounting for another 27 percent, and there were 67 appeals disposed after full oral argument on the merits, representing the remaining 20 percent. During calendar year 2009, the Supreme Court published 155 written decisions, including 25 orders and 130 opinions.

At year-end, the pending caseload was 480, a decrease of 15 (3 percent) over last year. This was the result of decreases in the criminal, civil, and certiorari categories,

combined with an increase in the miscellaneous category. Pending civil appeals dropped by 3 percent (6), pending criminal appeals declined by 8 percent (10), and writs of certiorari by 11 percent (10). Pending miscellaneous appeals rose by 19 percent (11) compared to last year.

During calendar year 2009, there were 177 new cases added to the AMP. Of the 177 new cases added, 88 were deemed either ineligible or inappropriate. During this time period, 37 cases were disposed at some stage in the mediation process, representing a 42 percent disposition rate. Thirteen of the 37 dispositions were settled at or after mediation, while the remaining 24 were dismissed or withdrawn at an earlier stage in the mediation process. As of December 31, 2009, there were 28 cases active in the program.



# Superior Court

Superior Court filings (for all case types, statewide) decreased by 8 percent from 17,594 in 2008 to 16,151 in 2009. Statewide felony filings decreased by 343 (6 percent) from 5,499 last year to 5,156. Felony filings decreased in all counties with the exception of Kent County, where they increased by 15 percent (100). Filings decreased by 8 percent (344) in Providence/Bristol County, by 11 percent (49) in Washington County, and by 15 percent (50) in Newport County.

Overall, statewide felony dispositions exceeded filings in 2009. Felony dispositions exceeded filings in Providence/Bristol, Washington, and Newport Counties, but fell short in Kent County. Kent County had a felony disposition rate of 92 percent for 2009.

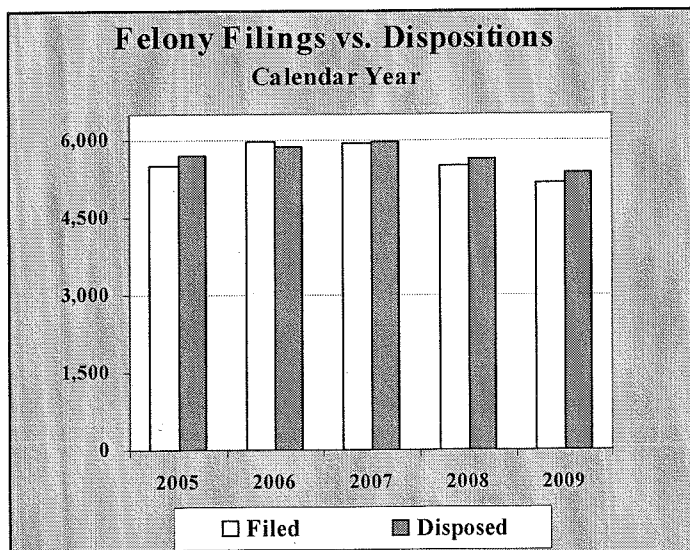
The Superior Court established a goal of 180 days for the disposition of felony cases and achieved this in roughly 69 percent of the cases during 2009.

<i>Felony Filings</i>	2005	2006	2007	2008	2009
Providence/Bristol	3,909	4,293	4,521	4,060	3,716
Kent	745	765	676	676	776
Washington	434	571	453	438	389
Newport	421	332	296	325	275
<b>Total</b>	<b>5,509</b>	<b>5,961</b>	<b>5,946</b>	<b>5,499</b>	<b>5,156</b>
<i>Misdemeanor Filings</i>					
Providence/Bristol	173	155	149	132	87
Kent	47	38	56	42	25
Washington	41	47	36	23	30
Newport	13	32	46	43	75
<b>Total</b>	<b>274</b>	<b>272</b>	<b>287</b>	<b>240</b>	<b>217</b>
<i>Civil Filings</i>					
<b>Total</b>	<b>9,215</b>	<b>9,299</b>	<b>9,811</b>	<b>11,855</b>	<b>10,778</b>
<i>Civil Cases added to the Trial Calendar</i>					
Providence/Bristol	1,460	1,409	1,189	1,336	1,216
Kent	312	309	272	321	289
Washington	214	181	188	179	169
Newport	158	152	142	148	107
<b>Total</b>	<b>2,144</b>	<b>2,051</b>	<b>1,791</b>	<b>1,984</b>	<b>1,781</b>

Kent County handled 86 percent of its felony caseload within 180 days, while Washington County met the 180 day guideline in 76 percent of the cases. Newport County met the guideline in 70 percent of the cases, and in Providence/Bristol County, the figure was 64 percent.

The number of felonies pending statewide totaled 2,660 at year-end, and 47 percent had been pending over 180 days from filing. Providence/Bristol County had 1,155 cases over 180 days old. Kent County had 43; Washington County, 21; and Newport County, 44.

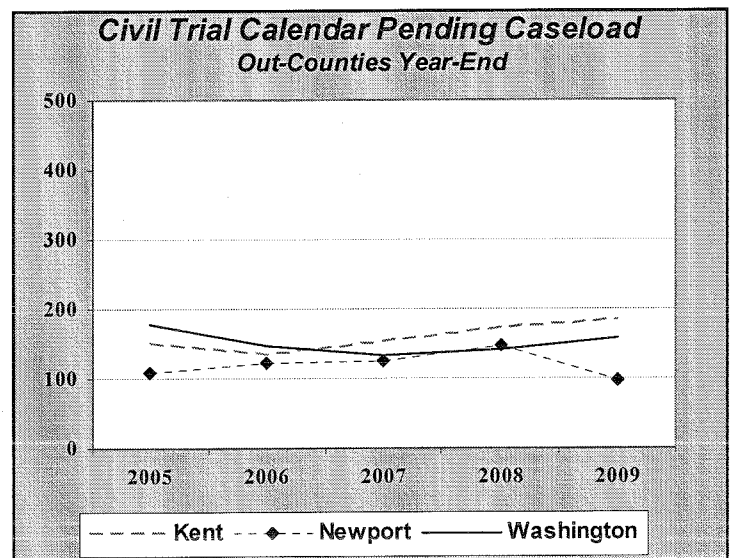
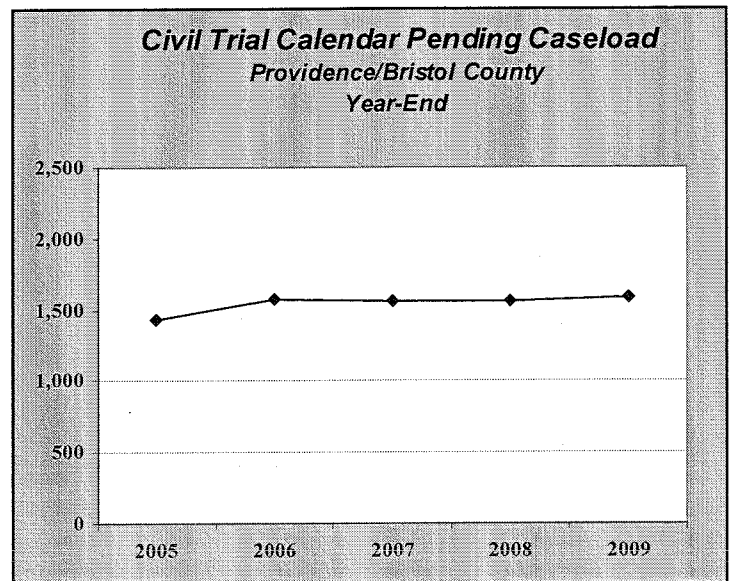
Statewide, the total number of misdemeanor appeals in 2009 was 217, declining by 23 (10 percent) compared to last year. This decrease occurred in both Providence/Bristol and Kent Counties, but on the contrary Wash-



ington and Newport Counties experienced increases. There was a 34 percent drop in misdemeanor appeals filed in Providence/Bristol County and a 40 percent decline in Kent County. Washington County misdemeanor filings increased by 30 percent, and Newport County filings rose by 74 percent.

Collectively, statewide misdemeanor dispositions exceeded filings in 2009. In addition, misdemeanor dispositions exceeded filings in Providence/Bristol County, and Kent County had a disposition rate of 100 percent. However, in Newport and Washington Counties, the disposition rate was 83 and 80 percent, respectively. Both Washington County and Kent County had the largest percentage of misdemeanors disposed within 90 days (83 percent), which is Superior Court's goal for handling misdemeanor appeals. In Providence/Bristol County, 18 percent of the misdemeanors were disposed within 90 days, and in Newport County it was 67 percent. At the end of 2009, there were 153 misdemeanor appeals pending statewide, and 78 percent (120) were over 90 days old.

Civil filings fell by 9 percent from 11,855 in 2008 to 10,778 in 2009. Meanwhile, civil dispositions in 2009 totaled 7,285 a 2 percent (136) increase over last year. Statewide, the number of cases added to the civil trial calendar in 2009 decreased by 203 (10 percent) with a decline in all four counties. The number of cases added in Providence/Bristol County dropped by 9 percent; Kent by 10 percent; Washington by 6 percent; and Newport by 28 percent. Kent and Washington Counties disposed more civil cases than were added to the calendar in 2009, while



Providence/Bristol and Newport Counties had disposition rates of 95 and 96 percent, respectively.

Statewide, assigned civil cases pending at year-end increased by less than 1 percent to 2,022 compared to last year (2,017). At the end of the calendar year, there were 96 cases pending trial in Newport County, 50 fewer (34 percent) than last year. In 2009, the number of assigned cases pending trial rose by 9 (5 percent) in Kent County, by 17 (12 percent) in Washington County, and by 29 (2 percent) in Providence/Bristol County.

# Family Court

Total Family Court filings increased by 508 (2 percent) from 21,888 in 2008 to 22,396 in 2009. However, there was a decline in juvenile filings, dropping by 1,020 (10 percent), with filings decreasing in all categories. Violations decreased by 15 percent (1,551), while termination of parental rights (TPR) petitions declined by 18 percent (68), compared to last year. Wayward/delinquent petitions dropped by 648 (10 percent), dependency/neglect/abuse

<i>Juvenile Filings by Case Type</i>	2005	2006	2007	2008	2009
Wayward/Delinquent	7,018	7,125	6,527	6,713	6,065
Violations	938	1,045	1,130	1,029	874
Dependency/Neglect/Abuse	2,162	2,590	1,692	1,705	1,591
Termination of Parental Rights	424	348	371	369	301
Adoption/Guardianship	599	541	484	492	467
Other	68	74	60	62	52
<b>Total</b>	<b>11,209</b>	<b>11,723</b>	<b>10,264</b>	<b>10,370</b>	<b>9,350</b>
<i>Juvenile Filings by County</i>					
Providence/Bristol	7,942	8,298	7,446	7,313	6,577
Kent	1,729	1,737	1,523	1,560	1,353
Washington	932	981	753	876	817
Newport	606	707	542	621	603
<b>Total</b>	<b>11,209</b>	<b>11,723</b>	<b>10,264</b>	<b>10,370</b>	<b>9,350</b>
<i>Divorce Filings by County</i>					
Providence/Bristol	3,096	3,062	2,935	2,995	2,875
Kent	805	763	761	764	758
Washington	561	577	505	503	520
Newport	329	377	348	334	317
<b>Total</b>	<b>4,791</b>	<b>4,779</b>	<b>4,549</b>	<b>4,596</b>	<b>4,470</b>
<i>Abuse Filings</i>					
Courtwide	2,241	2,308	2,233	2,225	2,292

(DNA) petitions by 114 (7 percent), adoption/guardianship petitions by 25 (5 percent), and the general category of other petitions decreased by 10 (16 percent).

In terms of juvenile filings by location, all counties experienced a decrease compared to last year. For calendar year 2009, juvenile filings declined by 736 (10 percent) in Providence/Bristol County, by 59 (7 percent) in Washington County, by 18 (3 percent) in Newport County, and by 207 (13 percent) in Kent County.

In the wayward/delinquent category, which includes violations of probation and court orders, juvenile dispositions exceeded filings in all counties except Newport, where the disposition rate was 93 percent. In the child protection

category, dispositions exceeded filings in all counties. When analyzing both the wayward/delinquent and child protection categories on a statewide basis, total dispositions exceeded the respective filings for each category.

The Family Court has established a timeframe of 180 days as the goal for adjudicating juvenile cases. This goal measures the time from filing until a finding is entered, not the time to final disposition of a case. In 2009, Providence/Bristol County adjudicated 68 percent of its wayward/delinquent cases within 180 days (again with violations included). Kent County adjudicated 66 percent of this caseload within 180 days. In Washington County, 73 percent of the cases were handled within the guideline, and

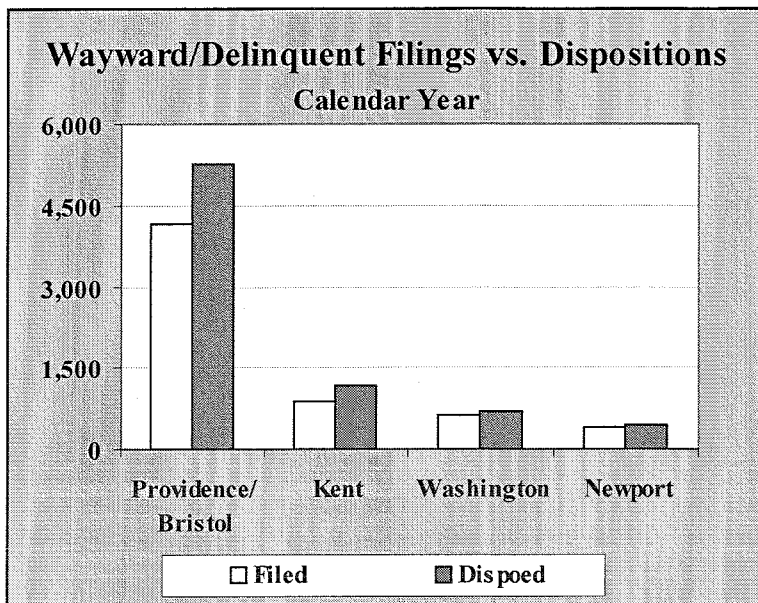


in Newport County, it was 69 percent. For wayward/delinquent cases handled by the Juvenile Services Unit without court intervention, the goal is 45 days. During the calendar year, 88 percent of these cases met this goal; furthermore, 97 percent were handled within 90 days.

In child protection cases statewide, Family Court met the 180 day guideline in 67 percent of the cases for TPR and in 45 percent of the cases for DNA matters. In Providence/Bristol County, 46 percent of the DNA cases and 69 percent of the TPR matters were adjudicated within 180 days.

A specific area the court monitors closely is the cases pending on the contested TPR calendar in Providence/Bristol County. At the end of the year, 38 cases, representing 24 families, remained on this calendar, and only one case was over 180 days old.

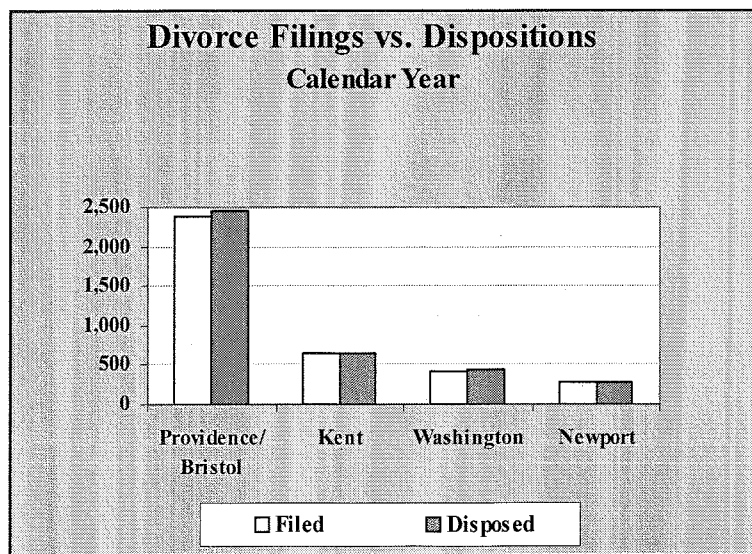
On the domestic side, divorce filings were lower than last year, decreasing by 126 (3 percent) statewide.



Filings dropped in all counties except Washington, where there was an increase of 17 (3 percent). In Providence/Bristol County, divorce filings declined by 120 (4 percent), in Kent County by 6 (1 percent), and in Newport County by 17 (5 percent), compared to last year. Statewide, divorce dispositions exceeded filings. Also, divorce dispositions exceeded filings in all counties except Kent County where the disposition rate was 100 percent.

At year-end, the total number of divorce cases pending over a year was 33 statewide. Washington County had 2 divorce cases pending over a year, while Kent County had 3 and Newport County had none. Providence/Bristol County had 28 divorce cases pending over one year.

In addition, abuse complaints rose this year by 67, representing an increase of 3 percent. Also, support petitions increased in 2009 by 1,587 (almost 34 percent) to 6,284.



# District Court

<b>Misdemeanor Filings</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
Second	2,515	2,470	2,542	2,542	2,483
Third	5,369	5,600	7,468	7,221	7,270
Fourth	4,327	4,131	3,923	3,921	3,379
Sixth	18,357	17,747	15,674	14,474	13,469
<b>Total</b>	<b>30,568</b>	<b>29,948</b>	<b>29,607</b>	<b>28,158</b>	<b>26,601</b>
<b>Felony Filings</b>					
Courtwide	7,413	8,037	7,616	7,434	7,186
<b>Civil Filings</b>					
Second	1,367	1,150	1,316	1,413	1,304
Third	2,343	3,018	4,917	6,519	6,678
Fourth	1,116	1,258	1,631	1,692	1,707
Sixth	13,604	13,674	14,414	15,577	14,116
<b>Total</b>	<b>18,430</b>	<b>19,100</b>	<b>22,278</b>	<b>25,201</b>	<b>23,805</b>
<b>Small Claims</b>					
Second	895	808	831	957	521
Third	2,459	3,133	6,335	6,564	9,871
Fourth	1,094	1,152	1,335	1,500	1,002
Sixth	12,133	13,417	10,929	12,295	7,824
<b>Total</b>	<b>16,581</b>	<b>18,510</b>	<b>19,430</b>	<b>21,316</b>	<b>19,218</b>
<b>Other Categories</b>					
Courtwide	1,419	1,459	1,494	1,802	1,919

In District Court, misdemeanor filings decreased in calendar year 2009 compared to last year. The total number filed declined from 28,158 last year to 26,601, a reduction of 1,557 (6 percent). Compared to last year, misdemeanor filings declined in all divisions except the Third Division where they increased by 49 (less than 1 percent). In the Second Division, misdemeanor filings dropped by 2 percent (59); in the Sixth Division, they decreased by 7 percent (1,005); while misdemeanor filings in the Fourth Division declined by 542 (14 percent).

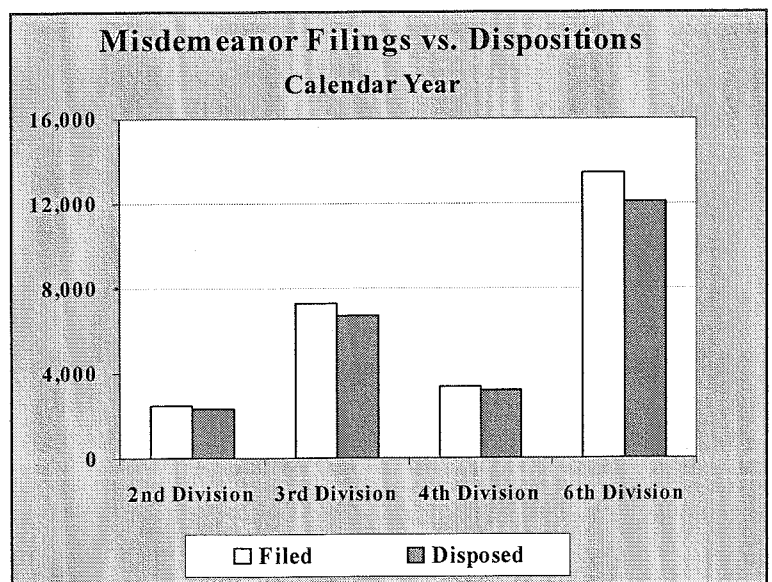
The 26,601 statewide misdemeanor case filings in calendar year 2009 were comprised of 34,050 individual counts. In the Second Division, the 2,483 misde-

meanor cases filed represented 3,253 counts, while the Third Division misdemeanor case filings (7,270) resulted in 9,228 counts. Furthermore, the 3,379 misdemeanor cases filed in the Fourth Division included 4,614 counts, and in the Sixth Division, the 13,469 misdemeanor case filings were comprised of 16,952 counts.

In 2009, the District Court continued to handle its misdemeanor caseload in a timely and efficient manner. Overall, the statewide disposition rate for misdemeanors was 92 percent. Both the Second and Fourth Divisions had a disposition rate of 95 percent. In the Third Division, the disposition rate was 92 percent, and in the Sixth Division, it was 90 percent.

The court's goal is to dispose of misdemeanors within 60 days of filing. Through year-end, the Second Division handled 79 percent of

its misdemeanor caseload within 60 days. In the Fourth Division, 77 percent of the misdemeanor cases were disposed within 60 days, and in the Sixth Division, it was 80

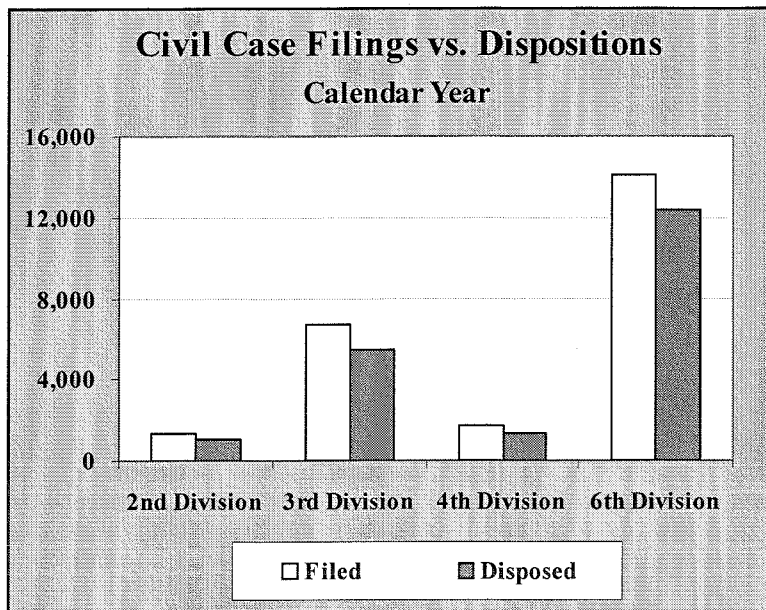


percent. The Third Division disposed 84 percent of its misdemeanors within 60 days, the same rate as a year ago.

At the end of 2009, there were a total of 4,952 misdemeanors pending; 36 percent were less than 60 days old, and another 17 percent were between 60 and 180 days old. In the Second Division, the number of misdemeanors pending more than 60 days was 456, while in the Third Division, it was 1,230. There were 139 misdemeanors pending more than 60 days in the Fourth Division and 1,359 in the Sixth Division. The number of misdemeanors over 60 days old has increased by 38 percent from 2,300 a year ago to 3,184.

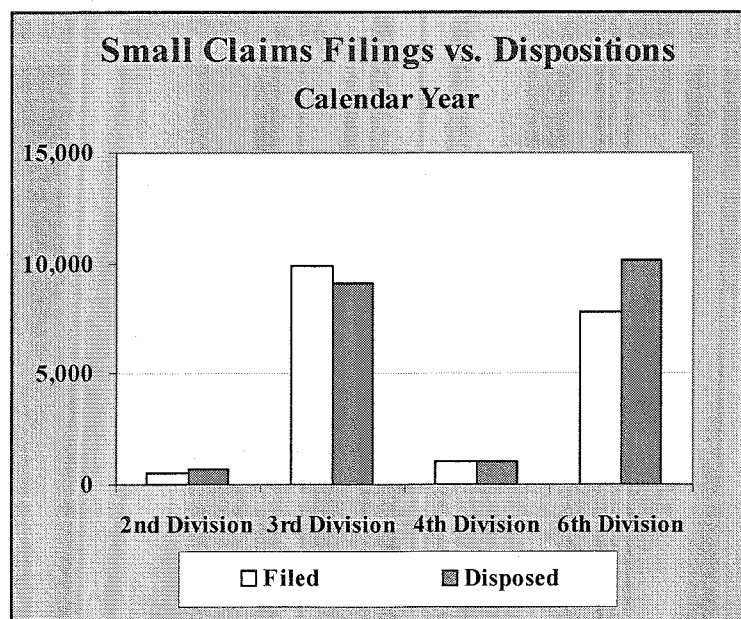
Felony filings in 2009 declined by 3 percent over those filed last year, decreasing from 7,434 to 7,186. The number filed decreased in all divisions except the Third Division where they rose by 3 percent (44). Felony filings dropped negligibly by less than 1 percent (2) in both the Second and Fourth Divisions, while they declined by 6 percent (288) in the Sixth Division.

On the civil side, filings decreased by nearly 5 percent from 25,201 in 2008 to 23,805 in 2009, a difference



of 1,396. Civil filings increased in both Third and Fourth Divisions, but decreased in the Second and Sixth. In the Second Division, civil filings declined by 109 (8 percent), while in the Sixth Division, they dropped by 1,461 (9 percent). Civil filings increased in the Fourth Division marginally by less than 1 percent (15), whereas those in the Third Division increased by 2 percent (159) compared to last year. Statewide, abuse filings rose from 952 in 2008 to 979 in 2009, an increase of 27 (3 percent). Statewide, small claims decreased compared to last year by 10 percent, dropping by 2,098 from 21,316 in 2008 to 19,218 in 2009. Fairly substantial declines occurred in the Second, Fourth, and Sixth Divisions, dropping by 46 percent, 33 percent, and 36 percent, respectively. On the contrary, small claims in the Third Division increased dramatically by 50 percent (3,307), rising from 6,564 in 2008 to 9,871 in 2009.

The statewide disposition rate for civil cases was 85 percent, an increase compared to last year's 76 percent disposition rate, while small claims dispositions exceeded filings for the year.





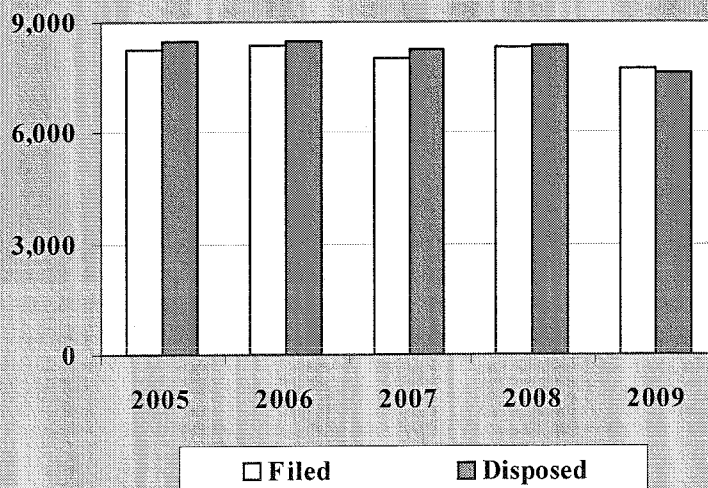
# Workers' Compensation Court

The number of petitions filed in the Workers' Compensation Court during calendar year 2009 decreased by 584 from last year. In calendar year 2008, there were 8,296 petitions filed, and this year there were 7,712, a difference of 7 percent.

Filings declined in every case category. Employer petitions, medical payments, and original petitions all fell by 7 percent, decreasing by 97, 13, and 176, respectively. Miscellaneous petitions dropped by 61 (22 percent); lump sum settlements by 140 (16 percent); and petitions to enforce by 91 (10 percent). During 2009, employee petitions declined by a mere 6 (less than 1 percent).

For 2009, the disposition rate was 99 percent. The number disposed (7,652) was only 60 fewer than the

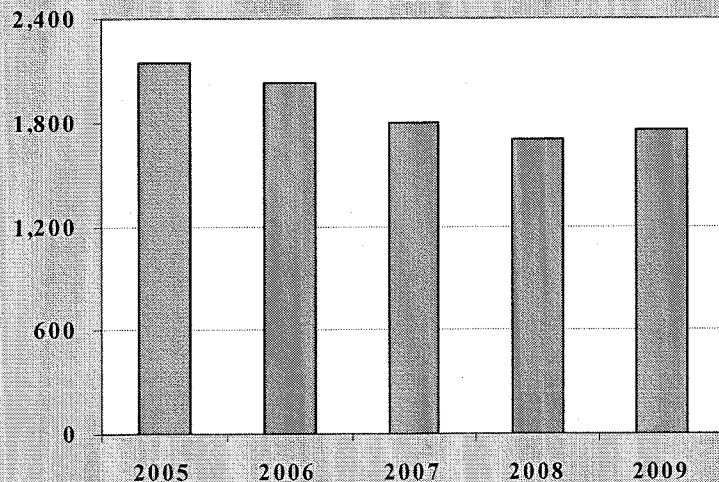
**Filings vs. Dispositions**  
Calendar Year



number filed. At the pretrial stage, dispositions accounted for 76 percent of the total, which is slightly higher than last year (74 percent). The percentage of cases disposed at pretrial within 30 days was 66 percent, the same as last year. Also, almost 82 percent of the cases disposed at trial were handled within 270 days, which is a small increase from last year (81 percent).

Compared to last year, the total number of petitions pending rose by 3 percent from 1,700 to 1,757. In addition, the number pending trial increased by 50 (7 percent) from 687 to 737. Furthermore, the petitions pending trial over 270 days rose from 197 to 251, representing 34 percent of the total number pending trial.

**Change in Pending Caseload**  
Year-End



# Rhode Island Traffic Tribunal

<i>Filings</i>	2005	2006	2007	2008	2009
Total Summonses Issued *	220,338	232,176	224,569	211,153	150,533
RITT Summonses Issued	117,046	115,848	104,288	98,407	85,790
Total Violations	142,365	140,107	126,828	118,387	104,395
<b><i>RITT Dispositions</i></b>					
Court Hearings	72,111	72,019	68,092	63,406	59,491
Payments by Mail	46,765	45,300	40,124	37,638	30,350
<b>Total Disposed</b>	<b>118,876</b>	<b>117,319</b>	<b>108,216</b>	<b>101,044</b>	<b>89,841</b>

\* Includes summonses issued to both the RITT and municipal courts.

The number of summonses issued to the Rhode Island Traffic Tribunal (RITT) decreased in calendar year 2009, dropping 13 percent from 98,407 last year to 85,790. However, the 85,790 summonses issued during this time period included a total of 104,395 violations. The RITT summonses accounted for roughly 57 percent of the total summonses issued during the year.

Despite the reduction in summonses, the RITT dispositions (89,841) exceeded the number of summonses filed this year. This disposition rate continues a trend at the RITT whereby the court disposes over 100 percent of the cases filed in a given calendar year, this year being 105 percent. Payments by mail represented 34 percent of the dispositions in 2009. The remaining 66 percent were disposed by court hearings.

The RITT has adopted 60 days from initial appearance as a performance measure for disposing summonses, and during 2009, 96 percent of all dispositions met this guideline. Furthermore, 80 percent of breathalyzer refusals and almost 93 percent of insurance violations were disposed within the 60 day timeframe.

Out of the 85,790 summonses filed in 2009, the total number of summonses pending at year end

was 2,229. Of this number, 1,505 (68 percent) were pending over 60 days.

As in the past, the majority of dispositions took place before or at the arraignment stage, although the results were different for certain categories. Based on statistics relating to the number of violations (separate offenses), 83

percent of all violations disposed occurred at or before arraignment. Similarly, 82 percent of insurance violations and 37 percent of breathalyzer refusal matters were disposed at or before arraignment.

Consistent with the overall decline in summonses, those issued in the two major categories of insurance violations and breathalyzer refusals decreased slightly in 2009 compared to last year. Insurance violations decreased by 1 percent (108), and breathalyzer refusals dropped by 3 percent (57).

In addition to the summonses issued to the RITT, the court's Appellate Division heard 150 traffic and municipal court appeals and 282 appeals from the Department of Motor Vehicles.

